

Appl. No. 10/751,0909

Amdt. Dated 9/21/2005

Response to Office action dated 08/09/2005

### **REMARKS**

Claims 1, 6-10, 12, 14-18, 21, 23 and 26-30 have been amended. Claim 5 has been canceled. No new matter has been added. Claims 1-4 and 6-30 are pending.

#### ***Disclaimers Relating to Claim Interpretation and Prosecution History Estoppel***

Claims 1 and 23 have been amended, notwithstanding the belief that these claims were allowable. Claim 5 has been canceled. Except as specifically admitted below, no claim elements have been narrowed. Rather, cosmetic amendments have been made to the claims 1 and 23 to broaden them in view of the cited art. Claims 1 and 23 have been amended solely for the purpose of expediting the patent application process, and the amendments were not necessary for patentability.

Any reference herein to "the invention" is intended to refer to the specific claim or claims being addressed herein. The claims of this Application are intended to stand on their own and are not to be read in light of the prosecution history of any related or unrelated patent or patent application. Furthermore, no arguments in any prosecution history relate to any claim in this Application, except for arguments specifically directed to the claim.

#### ***Drawings***

The Draftsman objected to the drawings under 37 CFR § 1.83(a). The Examiner required that the "lamp holder" (claim 5) must be shown with the reference character or the feature canceled from the claims. Claim 5 has been canceled.

#### ***Information Disclosure Statements***

It appears that the Examiner has not yet considered the IDS filed May 19, 2004. A copy of the IDS is in the IFW. Consideration of this IDS is respectfully requested.

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### ***Specification***

The Examiner objected to the Abstract. The Examiner requested that “comprise” and “comprising” be amended to “have” and “having”, respectively. The Abstract has been so amended.

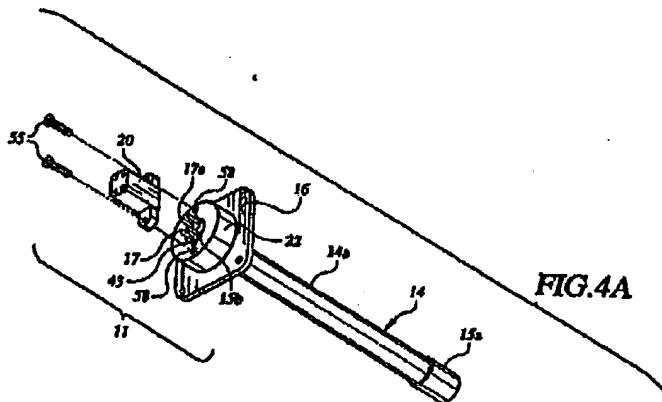
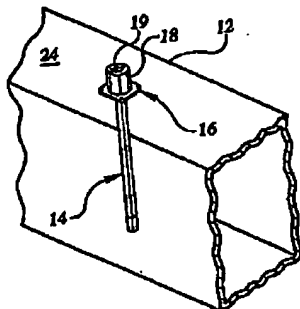
### ***Claim Objections***

The Examiner objected to claims 6-10, 12, 14-18, 21, 26-30 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 6-10, 12, 14-18, 21, 26-30 have been rewritten in independent form including all of the limitations of the base claims and any intervening claims.

### ***Claim Rejections - 35 USC § 103***

The Examiner rejected claims 1, 4, 5, 11, 13, 19, 20 and 22 under 35 USC § 103 as obvious from Russell et al. (U.S. Pat. Pub. No. 2004/0161371). This rejection is respectfully traversed.

Russell's system is directed to a power disruption apparatus including a lamp 14, a socket 20 and a compression nut 22.



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The lamp 14 is mounted to a duct 24 via a mounting plate 16. The socket 20 and the compression nut 22 are also mounted to the mounting plate 16, thereby providing electrical power to the lamp 14.

The electrical socket 20 is detachably mounted to the compression nut 22. The compression nut 22 cannot be detached from the mounting plate 16 without electrically disconnecting the socket 20 from the lamp 14.

"To establish a *prima facie* case of obviousness, [. . .] the prior art reference (or references when combined) must teach or suggest all the claim limitations." *MPEP 706.02(j)*.

**Claims 1 and 13:**

Claims 1 and 13 are independent. Claim 1 recites, among other features, "a fixture comprising a housing providing mechanical support, a socket attached to the housing comprising an electrical contact electrically connected to a power supply."

The Examiner asserted that Russell teaches the claimed fixture in this way: "a housing 24 providing mechanical support; a socket 16, 20 and 22 attached to the housing with screws 31 and having electrical contacts 46 electrically connected to a power supply." However, this appears to be an incorrect characterization of Russell. Russell's paragraph 0049 discloses that item 24 is an external surface of a duct. Russell's paragraph 0057 and FIG. 4 disclose that the mounting plate 16 is fastened to the duct 12 and the compression nut 22 is fastened to the mounting plate 16. Russell's paragraph 0053 and FIG. 4A disclose that the socket 20 is fastened to the compression nut 22. Thus, the socket is not the combination of 16, 20 and 22. Russell identifies the socket as 20, the mounting plate as 16 and the compression nut as 22. Moreover, Russell's socket 20 is not mounted to the external surface of the duct 24. Since Russell does not teach or suggest the socket attached to the housing, the rejection for claim 1 should be withdrawn.

Claims 1 and 13 recite, among other features:

- a first section at least partially surrounding the base
- a second section at least partially surrounding the socket

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the second section comprises  
an opening adapted to receive a socket of an electric discharge lamp  
fixture  
an inner surface adapted dimensionally to encompass and be at least  
slightly larger than an outer cross section of the socket when the second section  
receives the socket.

The Examiner correctly recognized that Russell's dielectric boot 18, as shown in FIG. 2, has a first section that at least partially surrounds the base 17. Russell's dielectric boot 18 also has a second section which comprises an opening 19. However, Russell's opening 19 of the second section of the dielectric boot 18 is not adapted to receive the socket. Russell's paragraph 0043 discloses that the opening 19 in the top central covering portion is adapted to facilitate the passage of an optional electrical transmission cable 21. Russell's FIG. 10 shows that the electrical transmission cable 21 is substantially smaller than the socket 20. Since Russell's opening 19 of the second section of the dielectric boot is not adapted to receive the socket, Russell does not teach the claimed feature and the rejection for claims 1 and 13 should be withdrawn.

**Claims 4, 5, 11, 19, 20 and 22:**

By virtue of their respective dependence from claims 1 and 13, claims 4, 5, 11 and 19, 20, 22 are patentable over Russell.

***Claim Rejections - 35 USC § 103***

The Examiner rejected claim 2 under 35 USC § 103 as obvious from Russell et al. (U.S. Pat. Pub. No. 2004/0161371) in view of Snowball (U.S.P. 4,762,613). This rejection is respectfully traversed.

At least by virtue of its dependence from claim 1, claim 2 is not obvious in view of Russell in view of Snowball.

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***Claim Rejections - 35 USC § 103***

The Examiner rejected claim 3 under 35 USC § 103 as obvious from Russell et al. (U.S. Pat. Pub. No. 2004/0161371) in view of Chen (U.S.P. 6,580,228). This rejection is respectfully traversed.

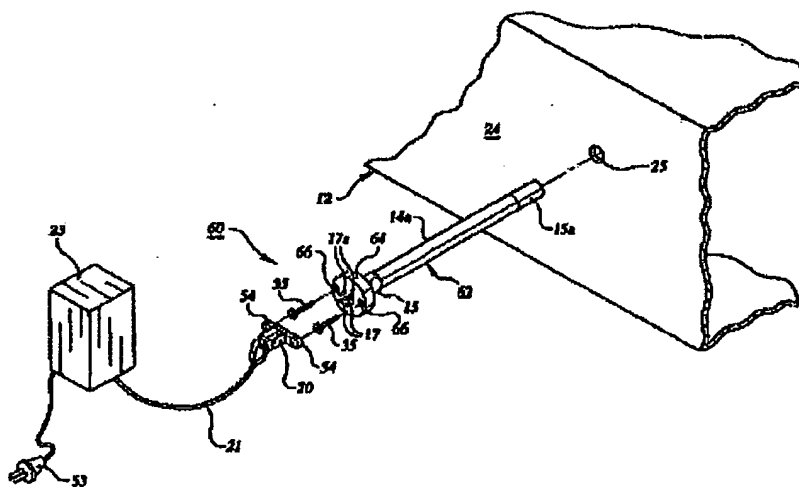
At least by virtue of its dependence from claim 1, claim 3 is not obvious in view of Russell in view of Chen.

***Claim Rejections - 35 USC § 103***

The Examiner rejected claims 22, 24 and 25 under 35 USC § 103 as obvious from Russell et al. (U.S. Pat. Pub. No. 2004/0161371) in view of Snowball (U.S.P. 4,762,613) and further in view of Chen (U.S.P. 6,580,228). This rejection is respectfully traversed.

Claim 23 recites, among other features, "passing a base of an electric discharge lamp through an opening of a first section of a cover" and "passing a socket of a fixture through an opening of a second section of the cover."

Russell's FIG. 10 shows that the electrical transmission cable 21 is substantially smaller than the socket 20.



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Thus, Russell's opening 19 of the second section of the dielectric boot 18 is not able to pass the socket therethrough. Since Russell's opening 19 of the second section prevents the "passing a socket of a fixture through an opening of a section section of the cover", the rejection should be withdrawn. Nothing in Chen or Snowball overcome Russell's shortcoming. Therefore, claim 23 is allowable over Russell in view of Snowball and further in view of Chen.

By virtue of their dependence from claim 22, claims 24 and 25 are patentable over Russell in view of Snowball and further in view of Chen.

### *Conclusion*

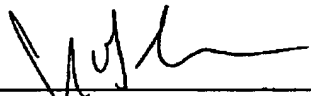
It is submitted, however, that the independent and dependent claims include other significant and substantial recitations which are not disclosed in the cited references. Thus, the claims are also patentable for additional reasons. However, for economy the additional grounds for patentability are not set forth here.

In view of all of the above, it is respectfully submitted that the present application is now in condition for allowance. Reconsideration and reexamination are respectfully requested and allowance at an early date is solicited.

The Examiner is invited to call the undersigned attorney to answer any questions or to discuss steps necessary for placing the application in condition for allowance.

Respectfully submitted,

Date: September 21, 2005

  
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